



PROCEDURES FOR
UNITED STATES MAGISTRATE JUDGE
JOHN R. FROESCHNER

The following are procedures which, in addition to the Local Rules of the Southern District of Texas, will govern all cases that are before United States Magistrate Judge John R. Froeschner.

Chambers Information:

Address: United States District Court
601 Rosenberg, Room 508-A
P.O. Drawer 2300
Galveston, Texas 77553

Telephone: 409-766-3729
Facsimile: 409-766-3549

Staff: Sheila Anderson
Secretary / Case Manager
P.O. Drawer 2300
Galveston, Texas 77553
409-766-3533
409-766-3549 - fax

The following questions are routinely presented to the Court.

1. Can the court be contacted by E-mail or fax? If so, what is the number or address? Does the court accept filings by fax or E-mail?

The Court may be contacted through its Case Manager, Sheila Anderson, by E-mail or fax.

E-mail: Sheila_R_Anderson@txs.uscourts.gov

Fax #: 409-766-3549

The Court will accept filings by facsimile when time is of the essence.

2. What is your preferred procedure for contacting the court in a true emergency?

Through its Case Manager, Sheila Anderson (409)766-3533; if unavailable, contact the Court directly.

3. Do you have any particular rules regarding filing, hearing or granting motions?

No.

4. Do you have any particular procedure regarding scheduling, preparing or filing Rule 16/Bankruptcy Rule 7016 docket control/scheduling orders (for discovery cutoff, designation of experts, amended pleadings. . .)?

No; an appropriate Docket Control Order is set for each individual case.

5. What are your requirements and procedures regarding dismissing cases, the routine dismissal docket, and motions to retain?

None.

6. Do you have any special rules governing courtroom decorum (e.g., addressing the court, opposing counsel or witnesses, requirement that counsel use only podium, approach the witness, talking or passing notes at the counsel table, beverages allowed at the counsel table, attire)?

No; however, beverages are not allowed at counsel table.

7. What are your preferred procedures for contacting the Court or Court staff regarding the status of motions? What procedures should be followed to obtain an expedited hearing?

Contact the Case Manager.

8. Does the court provide its own blackboard? Chart stand? Overhead projector? Video equipment? What arrangements must be made to use them?

Chart stands are always available. Modest video equipment is available, but should be reserved through the Case Manager.

9. When do you regularly have docket call and/or motions calendar?

No.

10. Do you allow attorneys to conduct their own voir dire?

Yes.

11. Do you set time limits per side or specifically for witnesses, opening statements and/or closing? If so, what are your general parameters?

Reasonable limits are set on a case by case basis.

12. Do you allow telephone conferences for the resolution of motions or any other matters? If so, who arranges them and when are they scheduled?

Yes; the party seeking relief should arrange the telephone conference through the Case Manager.

13. What is your procedure regarding pretrial conferences, pretrial settings, and scheduling of same?

A reasonable Docket Control Order is set for each individual case.

14. Do you have a limited number of non-issues/pretrial settings and a certain time period between settings (for criminal cases)?

No.

15. What are your procedures and requirements for Court appointments for indigents, guardians ad litem and/or bankruptcy trustees?

When such appointments are necessary the Court selects the attorney or guardian.

16. Are any forms required by counsel to prepare at the initial setting (for criminal cases)?

No.

17. Is notice of rulings given by the Court in writing? By telephone? On party inquiry only?

Notice is given in writing.

18. When (if ever) do you want a Court (courtesy) copy of a pleading?

The Court expects a courtesy copy of any motion requiring Court action and any responses and/or replies.

19. Do you prefer copies of cases attached to briefs/motions? If so, do you prefer pertinent provisions of the cases to be highlighted?

No preference.

20. What is your practice regarding discovery disputes?

Discovery disputes are resolved as quickly as possible (often by telephone) and generally within ten (10) working days. Telephone Conferences can be arranged through the Case Manager.

21. When generally do you find that sanctions are appropriate?

Hardly ever.

22. What matters do you routinely refer to your docket for adjudication? For which Courts do you routinely work?

The Court serves the United States District Court of the Galveston Division on any matters referred to its docket.

23. What are your procedures for referring cases to alternative dispute resolution? Under what circumstances do you order mediation, when is it ordered, and how is the mediator chosen?

Cases are seldom referred to mediation, that decision is usually left to the parties.

24. What is your procedure for continuing trials? How early will you grant/deny a request and how early do you want the request made?

Trials are seldom continued because the Court does not set more than one trial on any given trial week.

25. What are your procedures for the number of jurors in civil cases and do alternates participate in jury deliberations?

Generally six (6) jurors are seated, seven (7) in cases which may last longer than a week. The Court does not seat alternate jurors.

26. Are there special practices or procedures lawyers appearing before you should know about?

No.

27. Any pet peeves? What are they?

No.

28. Any special suggestions, admonitions or recommendations you would make to lawyers appearing before you?

None.